

Solid Waste Interpretive Guidance Statement (SWIGS)

revised: 2/8/96

ACTIVITIES ON pre-1971 LANDFILLS/DUMPS

The VSWMR are not applicable to units or facilities that properly closed prior to December 21, 1988 unless releases from those facilities cause the site to be classified as an open dump, a hazard, or a nuisance, or improper waste management has occurred at the site which is dangerous to public health, safety, and/or the environment. As long as the landfill is not subject to the VSWMR, activities can occur on those landfills without involvement from the DEQ Solid Waste Programs. However, solid waste that is removed from those sites (i.e., excavated from a cell) or otherwise actively managed at the site is subject to the VSWMR and must be properly managed (i.e., disposed, reused, recycled, etc.) in accordance with the VSWMR.

For the purposes of this SWIGS, a **A closed landfill** is a landfill that properly closed in accordance with the applicable closure requirements of the VSWMR.

For the purposes of this SWIGS, **Removal of waste** from a closed landfill is considered an act of mining solid waste.

Note: Activities on closed landfills are always subject to all other applicable local, state, or federal ordinances, statutes, etc., regardless if the facility is subject to the VSWMR or not.

Note: Open burning is prohibited at CDD landfills. Open burning can be allowed on closed Sanitary and Industrial landfills on areas where solid waste has not been disposed provided other applicable conditions are met. (See memo - Burning of Solid Waste at Closed Landfills October 5, 1993, Ulysses Brown).